



*cofc*

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent No. 7,179,980 ) Serial No. 10/733,257  
Inventor(s): Ole KIRKEBY, et. al. ) Filed: December 12, 2003  
Issue Date: February 20, 2007 ) Attorney Docket No. 004770.00163

For: AUTOMATIC EXTRACTION OF MUSICAL PORTIONS OF AN AUDIO STREAM

**REQUEST FOR CERTIFICATE OF CORRECTION**

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop: Certificate of Correction Branch  
401 Dulany Street  
Alexandria, VA 22314

**Certificate  
of Correction**  
JUN 29 2007

Sir:

Pursuant to 35 U.S.C. § 254 and 37 C.F.R. § 1.322, this is a request for the issuance of a Certificate of Correction in the above-identified patent. Two (2) copies of PTO Form 1050 are appended. The complete Certificate of Correction involves one page.

The mistakes identified in the appended Form occurred through no fault of the Applicants, as clearly disclosed by the records of the application, which matured into this patent. Enclosed for your convenience is the relevant portion of the Amendment, filed August 21, 2006.

Issuance of the Certificate of Correction containing the corrections is respectfully requested. Since these changes are necessitated through no fault of the Applicants, no fee is believed to be associated with this request. Nonetheless, should the Patent and Trademark Office determine that a fee is required, please charge our Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By:

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Dated: June 27, 2007  
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**JUN 29 2007**

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO.: 7,179,980  
DATED: February 20, 2007  
INVENTOR(S): Ole KIRKEBY, et. al.

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In Column 14, Claim 10, Line 3:  
Please replace "freguencies" with --frequencies--.

In Column 14, Claim 10, Line 12:  
Please replace "threshold value;" with --threshold value; and--.

Mailing Address of Sender:

Banner & Witcoff, Ltd.  
11th Floor  
1001 G Street, N.W.  
Washington, DC 20001-4597

U.S. PAT. NO 7,179,980

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FORM PTO 1050 (Rev.2-93)

JUN 29 2007

UNITED STATES PATENT AND TRADEMARK OFFICE  
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DATED: February 20, 2007  
INVENTOR(S): Ole KIRKEBY, et. al.

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FORM PTO 1050 (Rev.2-93)

**JUN 29 2007**



## Electronic Acknowledgement Receipt

EFS ID:	1163717
Application Number:	10733257
Confirmation Number:	8680
Title of Invention:	Automatic extraction of musical portions of an audio stream
First Named Inventor:	Ole Kirkeby
Customer Number:	22907
Filer:	Harry Wayne Porter
Filer Authorized By:	
Attorney Docket Number:	004770.00163
Receipt Date:	21-AUG-2006
Filing Date:	12-DEC-2003
Time Stamp:	14:54:13
Application Type:	Utility
International Application Number:	

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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part	Pages
1		NC28973_amendment.pdf	168345	yes	17

JUN 29 2007

	Multipart Description		
	Doc Desc	Start	End
	Amendment - After Non-Final Rejection	1	1
	Claims	2	11
	Applicant Arguments/Remarks Made in an Amendment	12	17
<b>Warnings:</b>			
<b>Information:</b>			
Total Files Size (in bytes):		168345	
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u>  If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u>  If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p>			

JUN 29 2007



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

**Ole KIRKEBY et al.**

Serial No.: **10/733,257**

Filed: December 12, 2003

For: Automatic Extraction of Musical  
Portions of an Audio Stream

Atty. Docket No.: 004770.00163

Group Art Unit: 2837

Examiner: David S. Warren

Confirmation No.: 8680

**AMENDMENT**

United States Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Dear Sir:

In response to the non-final office action mailed May 19, 2006, please amend the instant application as set forth herein. No fees are believed due. Should any fees be due, the Commissioner is authorized to charge our deposit account number 19-0733 as may be necessary.

**Amendments to the Claims** are reflected in the Listing of Claims, which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 12 of this paper.

**JUN 29 2007**

9. (Original) The method of claim 1, wherein a modified spectral flux comprises a value of spectral flux averaged over K previous frames, where K is an integer.

10. (Currently Amended) A method for selectively recording music portions of a radio broadcast, comprising:

receiving a radio broadcast consisting essentially of an audio transmission, the audio transmission comprising a plurality of frames;

passing each of the plurality of frames through a filter bank, the filter bank including filters with bandwidths approximately proportional to their center frequencies;

calculating a modified spectral flux value of a feature for at least a subset of the each of a plurality of frames of the audio transmission using the filtered frames;

identifying a start point, the start point being a frame in the audio transmission having a feature-modified spectral flux value bearing a first relation to a threshold value; for the feature;

identifying a stop point, the stop point being a frame in the audio transmission having a feature-modified spectral flux value bearing a second relation to the threshold value, and for the feature; and

recording a portion of the audio transmission bounded by the start and stop points.

11. (Cancelled)

12. (Currently Amended) The method of claim 10, further comprising receiving a recording control signal initiated from a remotely located mobile terminal, and wherein:

said identifying a start point comprises locating, within a buffered portion of the audio transmission, a frame having a feature-modified spectral flux value bearing the first relation to the threshold value, and

said recording comprises copying the portion of the audio transmission received since the start point into another memory.

13. (Original) A machine-readable medium having machine-executable instructions for performing steps comprising:

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